

# UNITED STATES BANKRUPTCY COURT DISTRICT OF HAWAII

## Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 6/15/11.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your Rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

### See Reverse Side For Important Explanations

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Dirk C. Budd  
P.O. Box 30009  
Honolulu, HI 96820

Case Number:  
11-01698

Social Security/Taxpayer ID/Employer ID/Other Nos.:  
xxx-xx-1879

Attorney for Debtor(s) (name and address):

Jerrold K. Guben  
O'Connor Playdon & Guben  
733 Bishop St., Fl. 24  
Honolulu, HI 96813  
Telephone number: 808.524.8350

Bankruptcy Trustee (name and address):

Richard A. Yanagi  
1136 Union Mall, #303  
Honolulu, HI 96813  
Telephone number: 808.599.0339

### Meeting of Creditors

Date: **July 8, 2011**

Time: **02:00 PM**

Location: **US Trustee Meeting Room, 1132 Bishop Street, Suite 606, Honolulu, HI 96813**

### Presumption of Abuse under 11 U.S.C. § 707(b)

*See "Presumption of Abuse" on reverse side.*

The presumption of abuse does not arise.

### Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

**Deadline to Object to Debtor's Discharge or to Challenge Dischargeability of Certain Debts: 9/6/11**

### Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors or as otherwise provided under Bankruptcy Rule 1019(2)(B) for converted cases.

### Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

### Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.

### Creditor with a Foreign Address:

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

**Address of the Bankruptcy Clerk's Office:**

1132 Bishop Street  
Suite 250  
Honolulu, HI 96813  
Telephone number: (808) 522-8100

**For the Court:**

Clerk of the Bankruptcy Court:  
Michael B. Dowling

Hours Open: Monday – Friday 8:30 AM – 4:00 PM

Date: 6/15/11

**EXPLANATIONS****B9A (Official Form 9A) (12/10)**

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under Chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
<b>Legal Advice</b>	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) <i>or</i> that a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), or (6), you must file a complaint or a motion if you assert the discharge should be denied under § 727(a)(8) or (a)(9) in the bankruptcy clerk's office by the "Deadline to Object to Debtor's Discharge or to Challenge the Dischargeability of Certain Debts" listed on the front of this form. The bankruptcy clerk's office must receive the complaint or motion and any required filing fee by that deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objections by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
Trustee's Sale of Property Under \$2,500	Unless an objection is filed within 21 days after the date of this notice, the trustee may sell property of the estate without further notice or hearing if the property's aggregate gross value is less than \$2,500.
<b>Refer to Other Side for Important Deadlines and Notices</b>	

United States Bankruptcy Court  
District of Hawaii

In re:  
Dirk C. Budd  
Debtor

Case No. 11-01698-rjf  
Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0975-1

User: lanie  
Form ID: b9a

Page 1 of 1  
Total Noticed: 17

Date Rcvd: Jun 15, 2011

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 17, 2011.

db +Dirk C. Budd, P.O. Box 30009, Honolulu, HI 96820-0009  
aty +Jerrold K. Guben, O'Connor Playdon & Guben, 733 Bishop St., Fl. 24, Honolulu, HI 96813-4070  
1099066 +Daniel McDougal, P.O. Box 30009, Honolulu, HI 96820-0009  
1099059 +First Hawaiian Bank, P.O. Box 1959, Honolulu, HI 96805-1959  
1099054 First Hawaiian Bank, P.O. Box 1300, Honolulu, HI 96807-1300  
1099056 First Hawaiian Bank, BankCard Center, P.O. Box 29450, Honolulu, HI 96820-1850  
1099055 First Hawaiian Bank, Consumer Service Center, P.O. Box 29450, Honolulu, HI 96820-1850  
1099068 State of Hawaii, Department of Taxation, P.O. Box 259, Honolulu, HI 96809-0259  
1099065 +Villa del Palmar Flamingo, Constructora de los Arcos, P.O. Box 881069,  
San Diego, CA 92168-1069

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
tr

+EDI: QRAYANAGI.COM Jun 16 2011 01:28:00 Richard A. Yanagi, 1136 Union Mall, #303,  
Honolulu, HI 96813-2711  
1099061 +EDI: AMEREXPR.COM Jun 16 2011 01:28:00 American Express, P.O. Box 981535,  
El Paso, TX 79998-1535  
1099064 +EDI: BANKAMER.COM Jun 16 2011 01:28:00 Bank of America, P.O. Box 15026,  
Wilmington, DE 19850-5026  
1099058 +EDI: CHASE.COM Jun 16 2011 01:28:00 Chase, Credit Car Service, P.O. Box 15298,  
Wilmington, DE 19850-5298  
1099060 +EDI: CITICORP.COM Jun 16 2011 01:28:00 Citi Bank, P.O. Box 6500,  
Sioux Falls, SD 57117-6500  
1099062 +EDI: BANKAMER.COM Jun 16 2011 01:28:00 FIA Credit Card, P.O. Box 15026,  
Wilmington, DE 19850-5026  
1099063 +EDI: HFC.COM Jun 16 2011 01:28:00 HSBC GM Credit Card, P.O. Box 80082,  
Salinas, CA 93912-0082  
1099067 +EDI: IRS.COM Jun 16 2011 01:28:00 Internal Revenue Service, P.O. Box 7346,  
Philadelphia, PA 19101-7346

TOTAL: 8

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

1099057 SB Administration, HEDCO

TOTALS: 1, \* 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 17, 2011

Signature:

